



UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICE OF DATA MANAGEMENT

LONG AND CAMERON  
SUITE 1401 - 1166 ALBERNI STREET  
VANCOUVER BC V6E 3Z3 CA CANADA

AUG 26 2008

In re Application of	:	
<u>HALSTROM, LEONARD W.</u>	:	
Application No. 10/635,483	:	DECISION ON PETITION
Filed: August 7, 2003	:	
Attorney Docket No. 317P1US	:	

This is a decision in response to the "Petition To Withdraw Holding of Abandonment filed on August 10, 2007.

The petition is **DISMISSED**.

Any request for reconsideration of this decision, or as explained below, filing a petition seeking revival under 37 CFR § 1.137, must be filed within TWO (2) MONTHS from the mail date of this decision.

The above-identified application was held abandoned for applicant's failure to timely pay the issue fee, as required in the Notice of Allowance and Fee(s) Due mailed December 22, 2006. The Notice of Abandonment, mailed on June 13, 2007 indicates, "The submitted fee of \$0 is insufficient. A balance of \$1,700 is due. The issue fee required by 37 CFR 1.18 is \$1,400. The publication fee, if required by 37 CFR 1.18(d) is \$300."

The Office acknowledges receipt of Part B – Fee(s) Transmittal on March 19, 2007, the Issue Fee was paid by check. On April 25, 2007, when an attempt was made by the Office of Finance to cash the check, there were insufficient funds in the Checking Account.

37 CFR 1.25 (a) and (b), which states in part:

1.25(a) ...An amount sufficient to cover all fee, services, copies, etc., requested must always be on deposit. Charges to accounts with insufficient funds will not be accepted."

1.25 (b) ...An authorization to charge a fee to a deposit account will not be considered payment of the fee on the date the authorization to charge the fee is effective as to the particular fee to be charged unless sufficient funds are present in the account to cover the fee.

In light of the non-compliance with 37 CFR 1.25, the holding of abandonment cannot be withdrawn.

Applicant may seek relief by filing a petition for Revival of Abandoned Application under CFR § 1.137 (a) or (b). (Forms are available at USPTO website <http://www.uspto.gov>)

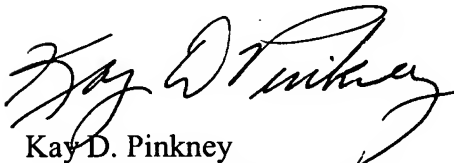
Under 37 CFR 1.137(a), a petition for the revival of an unavoidable abandoned application

- Under 37 CFR 1.137(b), a petition for the revival of an unintentionally abandoned application

Further inquiries with respect to filing a petition under 37 CFR § 1.137 may be directed to the Office of Petitions at 571-272-3282 or addressed as follows:

By mail:                      Mail Stop Petitions  
                                    Commissioner for Patents  
                                    Office of Petitions  
                                    P O Box 1450  
                                    Alexandria, VA 22313-1450

Telephone inquiries concerning this decision matter may be directed to the undersigned at 703 308-9250 Ext. 175.

  
Kay D. Pinkney  
Application Assistance Unit  
Office of Data Management